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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

DAVID ALVAREZ VENTURA,

Plaintiff

v.

JOHN H. GANSER, *et al.*,

Defendants

Case No. 2:19-cv-01692-JAD-NJK

**Order Dismissing Action**

[ECF Nos. 1, 3, 4]

Plaintiff, a pro se prisoner, filed an application to proceed *in forma pauperis* and submitted a civil-rights complaint under 42 U.S.C. § 1983.<sup>1</sup> He now moves for voluntary dismissal.<sup>2</sup> Rule 41(a)(1) of the Federal Rules of Civil Procedure permits a plaintiff to dismiss an action without a court order by filing “a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.”<sup>3</sup> The Court grants plaintiff’s motion to voluntarily dismiss this action because no responsive pleading has been filed in this case.

IT IS THEREFORE ORDERED that the motion for voluntary dismissal [ECF No. 4] is **GRANTED; this case is dismissed with prejudice.** The Clerk of Court is directed to **DENY all other pending motions [ECF Nos. 1, 3]** as MOOT and CLOSE THIS CASE.

Dated: December 4, 2019

  
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U.S. District Judge Jennifer A. Dorsey

<sup>1</sup> ECF No. 1, 1-1.

<sup>2</sup> ECF No. 4.

<sup>3</sup> Fed. R. Civ. P. 41(a)(1)(A)(i).